

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

In re: JOSEPH JOHNSON,
Petitioner

2019-110

On Petition for Writ of Mandamus to the United States Court of Federal Claims in No. 1:17-cv-00353-BAF, Senior Judge Bohdan A. Futey.

ON PETITION

PER CURIAM.

ORDER

Joseph Johnson petitions for a writ of mandamus. He also moves for leave to supplement his petition and for leave to proceed *in forma pauperis*.

On August 11, 2017, the United States Court of Federal Claims issued an opinion dismissing Mr. Johnson's complaint and ordering that "Mr. Johnson is enjoined from filing any new documents with this Court without first obtaining leave to do so." The Claims Court

subsequently entered judgment against Mr. Johnson. On appeal, this court affirmed.*

It appears from his submission before this court that in December 2018 Mr. Johnson attempted to file what he characterizes as a request to reopen in part the now final judgment in that case. It further appears that the Claims Court has not docketed the submission pursuant to the August 2017 anti-filing injunction. Mr. Johnson now seeks an order directing the Claims Court to file his documents.

A party seeking a writ bears the burden of demonstrating that it has no “adequate alternative” means to obtain the desired relief, *Mallard v. U.S. Dist. Court for the S. Dist. of Iowa*, 490 U.S. 296, 309 (1989), and that the right to issuance of the writ is “clear and indisputable,” *Will v. Calvert Fire Ins.*, 437 U.S. 655, 666 (1978) (citation and internal quotation marks omitted). The court must also be satisfied that the issuance of the writ is appropriate under the circumstances. *Cheney v. U.S. Dist. Court for the Dist. of Columbia*, 542 U.S. 367, 381 (2004).

The court cannot say that Mr. Johnson has shown entitlement to a writ of mandamus. Among other things, it does not appear that Mr. Johnson followed the procedure set out in the August 2017 order requiring him to first seek leave to file a document in the Claims Court.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion to supplement the petition is granted.
- (2) The motion for leave to proceed *in forma pauperis* is granted.

* The Supreme Court of the United States affirmed pursuant to 28 U.S.C. § 2109 due to a lack of quorum.

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(3) The petition for writ of mandamus is denied.

FOR THE COURT

March 27, 2019

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court

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